

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, <u>ex rel.</u> ,	:	
and William L. Fry	:	CIVIL ACTION NO: 04-316E
	Plaintiffs	:
v.	:	
	:	Related documents: 45, 32, 35, 36, 38
FIRST INVESTMENT COMPANY, et al.	:	and unnumbered text Order of
	Defendants	:
		10/27/2006

**SECOND CONSENTED TO MOTION FOR EXTENSION OF TIME
TO FILE A RESPONSE**

NOW COMES, Malcolm L. Pollard, Esquire, for William L. Fry as ex rel. Plaintiff, on behalf of the UNITED STATES OF AMERICA in the above named matter and files this instant Motion with the Court.

1. On November 14, 2006, at docket 45, in hopes of possible settlement offer or negotiations the Plaintiff/Relator requested and was granted a 30 day extension to file his response to Defendants' Motions to Dismiss (docket numbers 32, 35) and supporting Memorandum (docket numbers 36, 38).
2. Due to matters in another court which have created severe timing and resource conflicts, and due to medical problems of the Plaintiff/Relator, Counsel for the Plaintiff/Relator contacted Counsel for the Defendants requesting one additional 30 day extension.
3. By fax (attached as Exhibit 1) Counsel for the Defendants has consented to "... one additional 30 day extension to respond to defendants' Motion to Dismiss." and to "... facilitate possible settlement of this case".

Wherefore, the Plaintiff/Relator for the United States of America, requests this Honorable Court to grant a thirty (30) day extension of time until January 15, 2007, for the Plaintiff/Relator to file his response to Defendants' Motions to Dismiss. A suggested Order is attached for the benefit of The Court.

Date: December 15, 2006

Respectfully submitted:

/S/ Malcolm L. Pollard
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